IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

Criminal Application No.4300 of 2006

Lashika G. Dhameja Applicant

Vs.

State of Maharashtra & ors. Respondents

Mr.Subhash Jha i/b. M/s. Law Global for applicant.

Mrs.M.H.Mhatre, APP for State.

Mr.R.T.Lalwani with Ms.S.I.Jaykar for resp. nos.2 and 3.

CORAM: B.H.MARLAPALLE,J.

January 11, 2007.

P.C.

. Heard Mr.Jha, the learned counsel for the applicant - wife and mr.Lalwani with Ms.Jaykar, the learned counsel for the respondent nos.2 and 3. The learned APP appears for the State. This is an application for cancellation of the anticipatory bail granted to the respondent nos.2 and 3 by the learned Addl. Sessions Judge, Greater Mumbai on 20/11/2006.

. It is the contention of the applicant - wife that the entire Stridhan has not been returned though

the Stridhan listed in Annexures I and II before the Sessions Court has been returned, the respondent - husband is likely to flee the country and will not be available for investigation, one of the charges against the husband is an offence punishable under Section 498-A of IPC and that the respondents have refused to co-operate in the investigations in C.R. No.354 of 2006.

. As far as refusal of the respondent nos.2 and 3 to co-operate in the investigation is concerned, such an allegation is not put up before the Court concerned by the I.O. and on the issue of return of Stridhan, it appears from the order passed by the learned Addl. Sessions Judge granting anticipatory bail that the Stridhan listed in Annexures I and II has been returned. If the applicant - wife feels that any of the terms of anticipatory bail order have not been complied with or such terms have been breached, the Sessions Court is not powerless to entertain an application under Section 439(2) of Cr.P.C.

. I am satisfied that there is no reason to entertain this application for cancellation of bail.

The application is rejected.

(B.H